



"I will stand for my client's rights.  
I am a trial lawyer."  
—Ron Motley (1944–2013)

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**VIA ECF**

December 23, 2015

Honorable Paul A. Engelmayer  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2201  
New York, NY 10007

Re: *Ruzhinskaya v. HealthPort Technologies, LLC*, No. 1:14-cv-02921 (PAE) (SDNY)

Dear Judge Engelmayer:

Pursuant to the Court's December 18, 2015 Order (Dkt. #167), the parties have conferred regarding a schedule for discovery. Although the parties were able to agree upon the deadline for fact discovery, they were unable to reach agreement with respect to expert discovery. The parties' respective positions are set forth below.

**Plaintiff's Position**

In order to achieve the completion of all discovery by the end of March, as provided in the Order, the plaintiff's position is that the parties should exchange expert designations and reports on the same day. Specifically, the plaintiff proposes the following deadlines:

Fact Discovery Complete:	March 4, 2016
Both Parties' Expert Designations and Reports Due:	March 18, 2016
Both Parties' Expert Depositions Complete:	March 31, 2016

**Defendant's Position**

In order to complete fact discovery and accomplish expert discovery in the staggered manner that was done previously and was contemplated in the prior Scheduling Order, the parties need one additional month to complete discovery. Defendant therefore respectfully requests that discovery close at the end of April, and that the conference be set in May. Specifically, the defendant proposes the following deadlines:

Fact Discovery Complete:	March 4, 2016
Plaintiff's Expert Designations and Reports Due:	March 18, 2016
Plaintiff's Expert Depositions Complete:	March 31, 2016
Defendant's Expert Designations and Reports Due:	April 14, 2016
Defendant's Expert Depositions Complete:	April 29, 2016

December 23, 2015  
Page 2

The parties also briefly discussed the issue of class notice and will endeavor to provide the Court with a joint notice plan by the end of January.

Respectfully submitted,

/s/

Mathew P. Jasinski

*Counsel for Plaintiff  
Tatyana Ruzhinskaya, as Administratrix  
of the Estate of Marina Rochniak*

/s/

Seth A. Litman  
*(signed by filing attorney with permission)*

*Counsel for Defendant  
HealthPort Technologies, LLC*

cc: All counsel of record (via ECF).